

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOSH WEBBER et al.,

Plaintiffs,

- against -

DAMON ANTHONY DASH et al.,

Defendants.  
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19-cv-610 (CM) (RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

For the reasons stated on the record during the telephonic conference held on January 6, 2020:

1. The Court declines to rule on Plaintiffs' request that it issue a gag order. If Plaintiffs maintain that a gag order is necessary, Plaintiffs must file a letter motion in accordance with this Court's individual rules of practice, providing the factual and legal bases for the request.

2. Plaintiffs may file a motion for terminating sanctions or other relief by January 27, 2020. Defendants' response, if any, must be filed by February 17, 2020. Plaintiffs' reply, if any, must be filed by February 24, 2020.

3. By January 13, 2020, Plaintiffs shall produce to Defendants the "screener" of the film at issue, previously provided to the Court for in camera review. As previously ordered (Dkt. 97), Defendant may not be provided with a copy of or access to a copy of the film; Defendant may, however, view the film with defense counsel at defense counsel's offices.

4. This Court previously ruled that Defendant forfeited his opportunity to depose Plaintiffs but did not forfeit his right to take the deposition of Plaintiffs in regard to the information that came to light on July 24, 2019, namely, social media posting regarding the upcoming screening of the film allegedly at issue in this case. (Dkt. 97.) Plaintiffs shall produce a deposition witness for that purpose by February 20, 2020 at a date and time agreed upon by counsel. The location of the deposition may be selected by Plaintiffs.

5. Any remaining fact discovery shall be completed by February 20, 2020.

6. By February 5, 2020, Defendants shall pay the sanctions described in this Court's November 22, 2019 order. As discussed during the conference, the total amount for such sanctions is \$2,744.92, which includes (among other costs) two, not three, hours of Plaintiffs' legal fees.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', written over a horizontal line.

ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: January 6, 2020  
New York, New York